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TO: EXAMINER Shawn S. An
EXAMINER'S TELEPHONE NUMBER 703-305-4700
ART UNIT 2613
SERIAL NO. 09/913,670

FROM: Edward W. Goodman
REGISTRATION NO. 28,613

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Enclosed: Response - Election of Species + Cover

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Edward W. Goodman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

GERARD DE HAAN ET AL.

PHNL 000643

Serial No.: 09/913,670

Group Art Unit: 2613

Filed: August 17, 2001

Examiner: S.S. An

Title: ESTIMATION OF MOVEMENTS IN VIDEO IMAGES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

Enclosed is an amendment in the above-identified application.


[X] No additional fee is required.

[] The fee has been calculated as shown below.

| CLAIMS AS AMENDED | | | | | |
|---|---|---|-----------------|----------|-------------------|
| | Claims remaining after amendment | Highest number previously paid for | Number extra | Rate | Additional Fee |
| Total Claims | 7 | Minus 20 ¹ = | | X \$18 = | \$ |
| Independent Claims | 4 | Minus 4 ² = | | X \$86 = | \$ |
| Multiple Dependent Claims, if any. If not previously paid, \$290. | | | | | \$ |
| Total Additional fee for this amendment = | | | | | \$ |

¹If less than 20, enter 20. ²If less than 3, enter 3.

Please charge any fees which may be required, except the issue fee, or credit any overpayment to Deposit Account No. 14-1270.


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SERIAL NO.: 09/913,670

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FILED: August 17, 2001

EXAMINER: S.S. An

ESTIMATION OF MOVEMENTS IN VIDEO IMAGES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

This is in response to the Office Action mailed March 25, 2004, in which the Examiner required election of one of the following patentably distinct species of the claimed invention:

I. Fig. 2 - Block diagram, motion estimation method; and

II. Fig. 3 - Block diagram, a device for displaying video images.

Applicants hereby provisionally elect the species I, on which claims 1-5 and 7 read.

Upon allowance of a generic claim, Applicants reserve the right to consideration of claims to additional unelected species which are written in dependent form or include all the limitations of the allowed generic claim.

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Applicants believe that this election requirement is improper in that the claims include (1) a method of motion estimation (claims 1-4); (2) a device/computer program product for motion estimation (i.e., for performing the method) (claims 5 and 7); and (3) a device for displaying video images incorporating said device for motion estimation (claim 6). As such, there is only one invention claimed.

Applicants submit that while a casual examination of the figures and the brief description of the figures would lead one to assume that there are two patentably distinct species of the claimed invention, in actuality, there is only one species of the invention.

Applicants therefore request that this election requirement be withdrawn and that the subject application be examined on all claims.

Respectfully submitted,

by 
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Attorney
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